

**Remarks**

Claims 1-36, and 40-41 are pending. By this Amendment, claims 1-4, 7, 20-26, 28, 30-32, and 35-36 are amended, claims 37-39 are cancelled without prejudice or disclaimer, and claims 40 and 41 are new.

Applicant gratefully acknowledges the courtesies extended by Examiner Cobanoglu and Supervisor Gilligan to Applicant's representatives during the May 23, 2007 personal interview. The points discussed during the interview are incorporated herein.

**I. CLAIMS 1-5, 7-9, and 11-36 DEFINE PATENTABLE  
SUBJECT MATTER PURSUANT TO 35 U.S.C. § 102**

The Office Action rejects claims 1-5, 7-9, and 11-36 under 35 U.S.C. § 102 as anticipated by U.S. Patent No. 6,024,699 to Surwit ("Surwit"). These rejections are respectfully traversed.

Surwit describes a system for allowing patients to remotely submit patient information, such as blood glucose. Surwit then automatically transmits a medication dosage in response to the submitted information according to a pre-determined dosage algorithm. For example, if a diabetic patient submits her blood glucose level, the system of Surwit will determine the number of units of insulin that the patient should take according to a dosage algorithm prescribed by the patient's physician.

In contrast, claim 1 recites, "soliciting additional treatment information from a medical professional; and automatically calculating the periodic anticoagulation medication regimen based on the current patient information and the additional treatment information." Surwit does not solicit additional treatment information from a medical professional, but rather automatically calculates a dosage based solely on patient input. By automatically calculating a dosage based solely on patient input, Surwit is unable to provide face-to-face contact between a medical professional and a patient. Further, Surwit lacks the ability to allow a medical professional to adjust dosage calculations based on factors other than patient input. Thus, Surwit does not disclose all of the features of claim 1. Claims 2-5, 7-9, and 11-20 depend from claim 1, and thus are distinguishable over Surwit for at least the same reasons discussed for claim 1, as well as the additional features they recite.

Claim 21 recites features analogous to those of claim 1, and thus is distinguishable over Surwit for at least the same reasons as those discussed above for claim 1. Further, claims 22-36 depend from claim 21, and thus are distinguishable over Surwit for at least the same reasons as

claim 21, as well as the additional features they recite. The withdrawal of the rejections of claims 1-5, 7-9, and 11-36 is, thus, respectfully requested.

**II. CLAIMS 6 and 10 DEFINE PATENTABLE  
SUBJECT MATTER PURSUANT TO 35 U.S.C. § 103**

The Office Action rejects claims 6 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Surwit in view of U.S. Patent Publication No. 2002/0077849 to Baruch ("Baruch"). These rejections are respectfully traversed.

Claims 6 and 10 depend from claim 1, and, thus, are distinguishable over Surwit for at least the reasons discussed above for claim 1, as well as the additional features they recite. Further, Baruch cannot supply the deficiencies of Surwit with respect to claim 1.

Baruch discloses a quality assurance system for reviewing courses of treatment for compliance with existing guidelines. Baruch does not disclose or suggest soliciting treatment information from a physician and automatically calculating the periodic anticoagulation medication regimen based on the current patient information and the additional treatment information. Thus, the combination of Surwit and Baruch fails to teach, suggest, or disclose all of the features of claim 1. Claims 6 and 10 depend from claim 1, and thus are distinguishable over the combination of Surwit and Baruch for at least the same reasons as claim 1. Withdrawal of the rejections of claims 6 and 10 is respectfully requested.

**III. CONCLUSION**

In view of the foregoing, Applicant submits that the present application now stands in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is necessary to place the present application in even better condition for allowance, the Examiner is invited to contact Applicant's representative at the telephone number listed below.

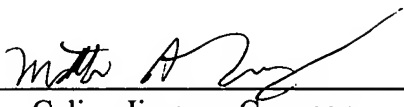
EXCEPT for fees payable under 37 CFR §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees due under 37 CFR §1.16 and 1.17 which may be required, including any required extension of time fees, or credit, any overpayment to deposit account No. 50-1349. This paragraph is intended to be a constructive petition for a one-month extension of time in accordance with 37 CFR §1.136(a)(3).

Application No. 10/020,864  
Attorney Docket No. 24733-0002

Respectfully submitted,

Dated: June 8, 2007

HOGAN & HARTSON LLP  
555 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20004  
Telephone: (202) 637-5600  
Facsimile: (202) 637-5910  
Customer No. 24633

By:   
Celine Jimenez Crowson  
Registration No. 40,357

Matthew A. Levy  
Registration No. 58,723